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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 10/025,900 | 12/19/2001 | Konstantin I. Boudnik | SUNMP031 | 1972 |

7590 04/06/2006

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EXAMINER

TO, JENNIFER N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2195

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/025,900 | BOUDNIK ET AL. | |
| | Examiner | Art Unit | |
| | Jennifer N. To | 2195 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/17/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter in which the applicant regards as his invention.

3. Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The claim language in the following claims is not clearly understood:

- i. as per claim 1, lines 6-7, it is not clearly understood what is meant by "allocating computing resources for the main task and the subtask prior to proceeding to a next operation (i.e. reserve the resources). Lines 17-19, it is not clearly understood what is meant by "an aspect of the main task/subtask causes an execution of the main task to discontinue" (i.e. interrupt).

- ii. as per claims 5, and 14, they have the same deficiencies as claim 1. Appropriate corrections are required.

- iii. as per claim 18, it has the same deficiencies as claim 1.

Appropriate corrections are required. In addition, lines 12-13, it is not clearly understood what is meant by "releasing the plurality of processing resources upon receiving a result of execution for each of the plurality of

tasks" (i.e. the whole processing resources, or just one or 2 processing resources).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14, 16-19, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stamm (U.S. Patent No. 6711616), and in view of Solloway et al. (hereafter Solloway) (U.S. Patent No. 6708324).

6. Stamm was cited in the last office action.

7. Solloway was cited in applicant information disclosure statement filed 01/17/2006.

8. As per claim 14, Stamm teaches the invention substantially as claim including a method for distributing an execution of a plurality of tasks by a system controller, the plurality of tasks configured to be processed by a plurality of processing resources in a distributed processing framework (DPF) system, the method comprising:

allocating a respective processing resource to execute each task of the plurality of tasks (fig. 5; col. 3, lines 14-20);

deploying each task to the respective processing resource substantially at the same time(col. 4, lines 19-26); receiving a result task from each processing resource upon a conclusion of each task (col. 5, lines 48-51); and

releasing the plurality of processing resources upon receiving the result task from each of the plurality of processing resources (col. 5, lines 50-53).

Stamm did not specifically teach loading a plurality of tasks to be executed.

9. However, Stamm disclosed in response to a request from a client, the server selects a subtask for execution (col. 1, lines 59-60).

10. It would have been obvious to one of an ordinary skill in the art at the time the invention was made to have recognized in response to requests the controller must load a plurality of task available for selecting a task for execution. Stamm disclosed the step of a server selects a subtask/task for execution. Therefore it would have been obvious that the server would load the task/subtask to be available for selecting a task/subtask for execution.

11. In addition, Stamm did not specifically teach allocating computing resource to tasks prior to proceeding to a next operation.

12. However, Solloway teaches allocating computing resource to tasks prior to proceeding to a next operation (col. 6, lines 25-37).

13. It would have been obvious to one of an ordinary skill in the art at the time the invention was made to have combined the teaching of Stamm and Solloway because Solloway teaching of allocated computing resource to tasks prior to the next operation would improve the integrity of Stamm's system by properly managing multiple tests (tasks) running on multiple hosts (computing resources) being executed by multiple users (Solloway, col. 2, lines 20-23).

14. As per claims 16-17, they are rejected for the same reason as claim 14 above.

15. As per claim 18, it is rejected for the same reason as claim 14 above. In addition, Solloway teaches wherein each processing resource is configured to be allocated to a respective task continuously until each aspect of the task is executed or an aspect of the task causes an execution of the task to discontinue (col. 6, lines 1-62).

16. As per claim 19, Stamm further teaches caching the result of the execution for each of the plurality of tasks (col. 3, lines 35-42).

17. As per claim 21, Solloway teaches the registry service is a look up service (fig. 1).

18. As per claim 22, it is rejected for the same reason as claim 18 above.

Allowable Subject Matter

19. Claims 1-13 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

20. Claims 15, and 20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion


21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer N. To whose telephone number is (571) 272-7212. The examiner can normally be reached on M-T 6AM- 3:30 PM, F 6AM- 2:30 PM.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2195

23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer N. To
Examiner
Art Unit 2195


MENG-AI J. WU
SUPERVISORY PATENT EXAMINER
TECHNOLOGICAL FIELD